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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,899	04/26/2000	Masahiko Sato	450100-02464	1579
20999	7590	02/12/2004	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			ONUAKU, CHRISTOPHER O	
			ART UNIT	PAPER NUMBER
			2615	

DATE MAILED: 02/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/558,899

Applicant(s)
Sato

Examiner
Christopher O. Onuaku

Art Unit
2615



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 7 6) ☐ Other:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roop et al (US 5,619,274) in view of Amano et al (US 5,585,865).

3. Regarding claim 1, Roop et al disclose a system and method for broadcasting, receiving and using television schedule information wherein the television schedule information is broadcast in, e.g., the vertical blanking interval (VBI) of a television broadcast, a schedule of television programs for a user's broadcast area or cable system is compiled from the broadcast, and the schedule is displayed on the user's television set for interactive use, comprising a tuner section for receiving a broadcast program containing broadcast program information, a decoder section for decoding the broadcast program information (EPG) received by the tuner section, a controller having recording management information which is created by extracting a broadcast program to be recorded from the decoded broadcast program information data, and a recording section for recording the broadcast program on the basis of the recording management information, wherein the controller compares the current time with a broadcast program start time contained in the EPG data, and enters a new broadcast program into the recording management information when a broadcast program which is being recorded is to be changed or immediately after it is changed (see Fig.1&5; and col.15, line 25 to

col.16, line 23) Also see col.15, lines 18-25 and col.11, lines 56-67 for the tuning means; and col.14, lines 9-20 for a decoding means).

Roop et al fail to explicitly disclose a decoder wherein the decoder explicitly decodes the EPG. Amano et al teach a television broadcast receiver capable of receiving program broadcast material of a desired genre by automatically tuning to a particular broadcast channel or channels, based upon past broadcast program reception history comprising a decoder 22 that decodes extended data services (EDS or program guide) (see Fig.1, decoder 22; col.4, lines 35-45 and col.6, line 64 to col.7, line 23).

It would have been obvious to add a decoding means to explicitly decode the EPG information, as taught by Amano, in order to explicitly show the decoding of an EPG information.

Regarding claim 2, Amano further teaches wherein the EPG decoder can directly receive broadcast information from outside (see Fig.1, decoder 22; col.3, line 57 to col.4, line 45).

Regarding claim 3, Amano teaches wherein the current time is produced by time information received from the outside (see Fig.1, clock 16; and col.7, lines 24-49), here when the program broadcast start time and the time of the clock 16 match, the current time is produced by time information received from outside.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hamaguchi et al (US 5,726,702) teach a television signal receiving apparatus including an information reproducing apparatus for reproducing pictures and sound by reading multimedia information from an information recording medium in which multimedia information is interlocked with television program which is being received, based on user's instruction and reproducing and displaying the program information.

Young et al (US 5,808,608) teach a system and process that displays on a television screen, overlaying a primary television display or program, a small background schedule guide that can be easily accessed by a user during lulls in the primary television display or program.

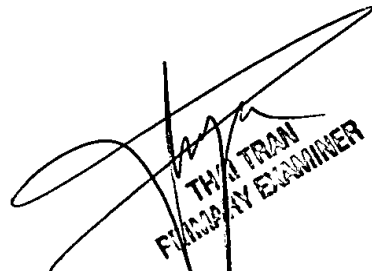
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Onuaku whose telephone number is (703) 308-7555. The examiner can normally be reached on 8:30-6:00 except 2nd Fri : 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2615

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


COO
2/6/04


THAI TRAN
PRIMARY EXAMINER